

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

GREEN & HEALTHY HOMES
INITIATIVE, Inc., *et al.*,

PLAINTIFFS,

v.

ENVIRONMENTAL PROTECTION,
AGENCY, *et al.*,

DEFENDANTS.

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No. 1:25-cv-01096-ABA

RESPONSE TO MOTION TO COMPEL

In response to Plaintiffs' motion to compel, ECF 58, Defendants state as follows:

1. Environmental Protection Agency (EPA) reinstated the Plaintiffs' grants in the form of an amendment, not a new award. The grant number listed at the top of the Assistance Amendments is the same as the grant number from the original grants. *See* ECF 58-1 at 2 (listing "FAIN").

2. EPA uses an automated system to generate grant amendments. In reinstating Plaintiffs' grants, the system automatically incorporated the most recent administrative conditions, which incorporate the newest general grant terms and conditions as opposed to the terms and conditions applicable at the time of Plaintiffs' grant awards. The incorporation of these newer terms and conditions was inadvertent.

3. EPA is in the process of rectifying the issue to remove the new administrative conditions and programmatic conditions. EPA anticipates resolving this issue within the next two weeks.

